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MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			GELIN, JEAN ALLAND	
			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	Application No. 10/725,661	Applicant(s) SEGAL ET AL.	
	Examiner Jean A. Gelin	Art Unit 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) 21-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 25-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/18/07 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-20 and 25-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-20 and 25-33 are replete with the phrases of "arranged to" and "operable to". These phrases render the claims indefinite. Appropriate correction is required.

Please review all the claims for typographical error such "handin" in claim 32. Appropriate correction is required.

Note: Prior to allow an application, all claims that have been withdrawn must be canceled. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-2, 12-13, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coombes *et al* (U.S. 6,138,030) in view of Sundar *et al* (U.S. 2003/0134638).**

As to **claim 1**, Coombes discloses:

A wireless communication unit (**102**) arranged and constructed for operation within a loosely coupled communication network comprising a first communication network (**interconnect**) and a second communication network (**dispatch**) (**column 2, lines 33-39; column 3, lines 28-30**), the wireless communication unit comprising:

a transceiver (**It is inherent the mobile station comprises a transceiver in order to communicate with the base station 112**) configured to support an air interface with the first communication network and the second communication network (**column 3, lines 28-30**); and

a controller (**It is inherent that the mobile station must comprise a controller in order to operate**) arranged to control and cooperatively operate with the transceiver to place an active call on-hold to provide an on-hold call at first the communication network (**column 6, lines 1-2**) wherein the on-hold call is

created prior to determining that a handout is desired (**column 4, lines 16-20; column 6, lines 12-15**) and thereafter retrieve the on-hold call from the first communication network while the wireless communication unit is operating in the second communication network via a call leg established for coupling the on-hold call to the wireless communication unit (**column 4, lines 48-55, lines 56-63; column 6, lines 20-26**).

Coombes discloses a mobile station handing off from one serving area to another (column 4, lines 48-55); but, Coombes fails to disclose the on-hold call is established in the first communication network and handed over to become an on-hold call in the second communication network and that is done using a call leg in the second communication network, wherein the first communication network is one of a WLAN and the second communication network is a WWAN and vice versa.

However, the Examiner contends this feature was old and well known in the art of communications. Sundar teaches a mobile station determines that it should communicate according to a WWAN air interface protocol while the mobile station is participating in a call under a WLAN air interface protocol; the MSC provides a TLDN to the MS; the MSC causes a called party of the call to be placed on hold; the WWAN causes call connections to be made connecting the mobile station with the TLDN to resume the on-hold call; and the WWAN switch routes the call to the WLAN ([0028] and [0098]-[0099]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a

party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is waning in intensity whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

As to **claim 2**, Coombes and Sundar teach everything as applied in claim 1 above; however, Coombes fails to disclose the controller cooperatively with the transceiver is operable in response to determining that the handout from the first communication network to the second communication network is desired and responsive thereto one of i) passively establish the call leg in the second communication network by receiving and connecting to a call with the first communication network via the second communication network, the call corresponding to the on-hold call and ii) proactively establish the call leg in the second communication network by initiating the call and connecting to the call through calling, via the second communication network, a handout number that terminates in the first communication network thereby resulting in the on-hold call being connected to the call. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Sundar.

Sundar teaches everything as applied in claim 1 and further teaches that the MS roams from WLAN to WWAN based on intensity, reading on claimed "the controller cooperatively with the transceiver is operable to determine that a handout from the first communication network to the second communication network is desired" ([0028], [0070]-[0073], and [0098]-[0099]). Therefore, it would have been obvious to one of

ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is waning in intensity whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

As to **claim 12**, Coombes discloses:

A communication network switch (**114, 108**) operable to route calls for a first (**interconnect**) communication network (**column 2, lines 33-39; column 3, lines 28-30**), the communication network switch comprising:

a switching function operable to couple the first communication network to a second communication network, where the first communication network and the second communication network comprise a loosely coupled communication network (**Figure 1; column 2, lines 39-42, lines 55-60; column 3, lines 8-11**); and

a controller arranged to control and cooperatively operate with the switching function to place an active call on-hold responsive to a signal from a communication unit (**column 6, lines 1-2**), wherein the on-hold call is created prior to determining that a handout is desired (**column 4, lines 16-20; column 6, lines 12-15**), to provide an on-hold call at the first communication network and thereafter couple, via a call leg to the second communication network, the on-hold call to the wireless communication unit, the call leg established for coupling

the on-hold call to the wireless communication unit after a handout of the wireless communication unit and while the wireless communication unit is operating in the second communication network (**column 4, lines 48-55, lines 56-63; column 6, lines 20-26**).

Coombes discloses a mobile station handing off from one serving area to another (column 4, lines 48-55); but, Coombes fails to disclose the on-hold call is established in the first communication network and handed over to become an on-hold call in the second communication network and that is done using a call leg in the second communication network, wherein the first communication network is one of a WLAN and the second communication network is a WWAN and vice versa.

However, the Examiner contends this feature was old and well known in the art of communications. Sundar teaches a mobile station determines that it should communicate according to a WWAN air interface protocol while the mobile station is participating in a call under a WLAN air interface protocol; the MSC provides a TLDN to the MS; the MSC causes a called party of the call to be placed on hold; the WWAN causes call connections to be made connecting the mobile station with the TLDN to resume the on-hold call; and the WWAN switch routes the call to the WLAN ([0028] and [0098]-[0099]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is waning in intensity



whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

As to **claim 13**, Coombes and Sundar teach everything as applied in claim 12 above; however, Coombes fails to disclose the controller and the switching function in response to determining that a handout from the first communication network to the second communication network is desired is further operable to one of i) proactively establish the call leg by forwarding, via the second communications network, the on-hold call to the wireless communication unit and ii) passively establish the call leg by receiving a call from the wireless communication unit via the second communication network that is directed to a handout number and, responsive to receiving the call, connecting a peer call leg of the on-hold call to the call leg as an active call. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Sundar.

Sundar teaches everything as applied in claim 1 and further teaches that the MS roams from WLAN to WWAN based on intensity, reading on claimed “the controller cooperatively with the transceiver is operable to determine that a handout from the first communication network to the second communication network is desired” ([0028], [0070]-[0073], and [0098]-[0099]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is

waning in intensity whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

As to **claim 25**, Coombes discloses:

A method in a communication network switch for routing calls to a wireless communication unit operating in a second communication network, a first and the second communication network comprising a loosely coupled network (**column 2, lines 33-39; column 3, lines 28-30**), the method comprising:

placing an active call on-hold responsive to a signal from a communication unit to provide an on-hold call at the first communication network, wherein the on-hold call is created prior to determining that a handout is desired (**column 6, lines 1-2; column 4, lines 16-20; column 6, lines 12-15**);

establishing a call leg for coupling the on-hold call from the first communication network to the second communication network after determining that the handout from the first communication network to the second network is desired (**column 4, lines 48-55, lines 56-63; column 6, lines 20-26**); and

coupling the on-hold call, via the call leg, to the wireless communication unit. after the handout of the wireless communication unit and while the wireless communication unit is operating in the second communication network (**column 4, lines 48-55, lines 56-63; column 6, lines 20-26**).

Coombes fails to disclose the on-hold call is established in the first communication network and handed over to become an on-hold call in the second communication network and that is done using a call leg in the second communication

network, wherein the first communication network is one of a WLAN and the second communication network is a WWAN and vice versa.

However, the Examiner contends this feature was old and well known in the art of communications. Sundar teaches a mobile station determines that it should communicate according to a WWAN air interface protocol while the mobile station is participating in a call under a WLAN air interface protocol; the MSC provides a TLDN to the MS; the MSC causes a called party of the call to be placed on hold; the WWAN causes call connections to be made connecting the mobile station with the TLDN to resume the on-hold call; and the WWAN switch routes the call to the WLAN ([0028] and [0098]-[0099]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is waning in intensity whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

As to **claim 26**, Coombes and Sundar teach everything as applied in claim 25 above; however, Coombes fails to disclose determining that a handout from the first communication network to the second communication network is desired: and the establishing a call leg is responsive to the determining and further comprises one of: i) proactively establishing the call leg by forwarding, via the second communications network, the on-hold call to the wireless communication unit as an active call; and ii)

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passively establishing the call leg by receiving a call from the wireless communication unit via the second communication network that is directed to a handout number and, responsive to receiving the call, connecting the peer leg of the on-hold call to the call leg as an active call. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Sundar.

Sundar teaches everything as applied in claim 1 and further teaches that the MS roams from WLAN to WWAN based on intensity, reading on claimed “the controller cooperatively with the transceiver is operable to determine that a handout from the first communication network to the second communication network is desired” ([0028], [0070]-[0073], and [0098]-[0099]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Sundar within the system of Coombes in order that the mobile station (MS) while engaged in a telephone call with a party A, who may be using WWAN, senses both the WLAN and the WWAN environments and determines that the WLAN environment is waning in intensity whereas the WWAN is gaining in intensity. Thus, enabling a mobile user to reestablish an on-hold call in a new communication network.

**6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coombes and Sundar as applied to claims 1, 12, and 25 above, and further in view of Brown *et al* (U.S. 7,215,759).**

As to **claims 3**, Coombes and Sundar teach everything as applied in claims 1 and 2; however, Coombes and Sundar fails to teach the controller distinguishes the call from

other calls within the second communication network by comparing call information to expected call information.

In an analogous art, Sundar teaches a method for publishing call hold queue information to a caller for enabling estimation of an individual caller's remaining time, calls hold queue can be distributed based on individual profile (col. 2, line 50 to col. 3, line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention, to implement the technique of Brown within the system Coombes and Sundar in order to provide an estimation of an expected wait time for each individual caller in a call queue.

**7. Claims 4-7, 14, 27, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coombes and Sundar as applied to claims above, and further in view of Kung *et al* (U.S. 6,633,635).**

As to **claim 4**, Coombes and Sundar teach everything as applied in claims 1 and 2; however, Coombes and Sundar fails to teach the on hold call is one of a plurality of on hold calls and the controller orders local on hold call information corresponding to the plurality of on hold calls according to an order for connecting the plurality of on hold calls to the call.

Kung also teaches a subscriber to a call waiting service can have multiple calls waiting on a call queue while involved in another call to enable the subscriber to have three or more incoming calls active simultaneously and switch between the different calls (column 30, lines 22-28), reading on claimed "the on hold call is one of a plurality of on hold calls." Kung also teaches a call manager 218 or the broadband residential

gateway 300 may maintain a queue of waiting calls, reading on claimed "local on hold call information," so that the call waiting the longest may be answered in the ordered received (column 32, lines 31-34), reading on claimed "the controller orders local on hold call information corresponding to the plurality of on hold calls according to an order for connecting the plurality of on hold calls to the call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication device and the on hold call, taught by Coombes and Sundar, to be one of a plurality of on hold calls and the controller orders local on hold call information corresponding to the plurality of on hold calls according to an order for connecting the plurality of on hold calls to the call, as taught by Kung, to provide the user with the capability of choosing which call placed on hold to connect to first.

As to **claim 5** Coombes and Sundar teach everything as applied in claims 1-2 and the combination of Coombes, Sundar and Kung teaches everything as applied in claim 4; however, Coombes and Sundar fails to teach the controller orders the local on hold call information according to an on hold time for each of the plurality of on hold calls.

Kung also teaches a visual list may be provided to the subscriber (column 32, lines 38-39) and that data such as waiting time, reading as claimed "on hold time," and the type of service of the waiting call (column 32, lines 42-44), reading on claimed "controller orders the local on hold call information according to an on hold time for each of the plurality of on hold calls."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication device and on hold call, taught by Coombes and Sundar, to be one of a plurality of on hold calls and the controller orders local on hold call information corresponding to the plurality of on hold calls according to an order for connecting the plurality of on hold calls to the call, taught by Kung, and the controller orders the local on hold call information according to an on hold time for each of the plurality of on hold calls, also taught by Kung, to enable the user to connect the on hold call that has been on hold the longest first.

As to **claim 6**, Coombes and Sundar teaches everything as applied in claims 1-2 and Sundar further discloses, in a second protocol, the PBS 20 dials the mobile identification number (MIN) of the MS to place a call to the MS through the cellular network, the cellular network routes the call to the MS and pages the MS, the user at the MS receives the page alert signal and the user of the MS answers and the call is established (column 8, lines 65-67; column 9, lines 1-15), reading on claimed "a user interface and wherein, responsive to an indication from the user interface, the controller cooperatively with the transceiver connects the call." It is inherent that the MS comprises a user interface in order for the user to receive the page alert signal and to respond to such signal.

However, Coombes and Sundar fails to teach the user interface provide updated information for the on hold call corresponding to the call.

Kung also teaches the CM 218 and the BRG 300 of the subscriber during the call waiting process; multiple incoming calls to a subscriber may be placed on hold as

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waiting calls (column 32, lines 28-31). Kung also teaches the identification information, reading on claimed "on hold information for the on hold call," may be sent by the CM 218 to the BRG 300 so that the subscriber may be advised as to the origin of the calls, and can select which call in the queue to switch to from the ongoing call and the subscriber may view the queue of waiting calls and select the desired call from the queue and switch between calls (column 32, lines 34-41), reading on claimed "the user interface provides updated information for the on hold call corresponding to the call."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication device, taught by Coombes and Sundar, to comprise a user interface and wherein, responsive to an indication from the user interface, the controller cooperatively with the transceiver connects the call, also disclosed by Sundar, and the user interface provides updated information for the on hold call corresponding to the call, as taught by Kung, to provide the mobile user information pertaining the characteristics of the call placed on hold concerning wait time and type of service.

As to **claim 7**, Coombes and Sundar teaches everything as applied in claims 1-2; however, Coombes and Sundar fails to teach the controller cooperatively with the transceiver places the call on hold at the second communication network by sending hold information corresponding to the call to the second communication network.

Kung also teaches the when a subscriber is engaged in an ongoing call with a party who is either on the same network as the subscriber or off the network, the BRG assigned to the subscriber can receive packets for an incoming call originating from a



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party either on or off the same network as the subscriber (column 30, lines 35-40). He further teaches the BRG 300 notifies the subscriber of the incoming call (column 30, lines 66-67) and if the subscriber chooses to answer the incoming call and place the ongoing call on the queue, the BRG 300 can communicate this information to the CM 218 and the resources for the incoming call can be allocated and that call connected to the subscriber in step S760, while the ongoing-call is no longer ongoing and placed on the call queue (column 31, lines 33-39), reading on claimed "places the call on hold at the second communication network by sending hold information corresponding to the call to the second communication network."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication device and on hold call, taught by Coombes and Sundar, to place the call on hold at the second communication network by sending hold information corresponding to the call to the second communication network, as taught by Kung, to enable the user to initiate a new communication or to receive a new communication in the current serving network.

As to **claims 14, 27**, Coombes and Sundar teach everything as applied in claims 12-13; however, Coombes nor Sundar teaches to hand out an active call for the wireless communication unit at the first network by establishing an other call leg by forwarding, via the second communications network, the active call for the wireless communication unit after the on hold call has been forwarded and responsive to the on hold call being connected by the wireless communication unit.

Kung also teaches if the subscriber chooses to answer the incoming call, reading on claimed "active call," and place the ongoing call on queue, the BRG 300 can communicate this information to the CM 218 and the resources for the incoming call can be allocated, reading on claimed "an other call leg," and that call connected to the subscriber while the on going call is no longer ongoing and placed on the call queue (column 31, lines 33-39), reading on claimed "to hand out an active call for the wireless communication unit at the first network by establishing an other call leg by forwarding, via the second communications network, the active call for the wireless communication unit after the on hold call has been forwarded and responsive to the on hold call being connected by the wireless communication unit."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the communication network switch, taught by Coombes and Sundar, to hand out an active call for the wireless communication unit at the first network by establishing an other call leg by forwarding, via the second communications network, the active call for the wireless communication unit after the on hold call has been forwarded and responsive to the on hold call being connected by the wireless communication unit, as taught by Kung, to enable the mobile user to respond to calls directed to the mobile user's previous location while the mobile user is operating in a new network.

As to **claim 29**, Coombes and Sundar teach everything as applied in claims 25-26; however Coombes and Sundar fail to teach the on hold call is one of a plurality of on

hold calls and the method further comprises ordering the plurality of on hold calls according to a predetermined attribute of the respective on hold calls.

Kung also teaches a subscriber to a call waiting service can have multiple calls waiting on a call queue while involved in another call to enable the subscriber to have three or more incoming calls active simultaneously and switch between the different calls (column 30, lines 22-28), reading on claimed "the on hold call is one of a plurality of on hold calls." Kung also teaches a call manager 218 or the broadband residential gateway 300 may maintain a queue of waiting calls so that the call waiting the longest, reading on claimed "predetermined attribute of the respective on hold calls," may be answered in the ordered received (column 32, lines 31-34), reading on claimed "ordering the plurality of on hold calls according to a predetermined attribute of the respective on hold calls."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, taught by Coombes and Sundar, that the on hold call is one of a plurality of on hold calls and step of ordering the plurality of on hold calls according to a predetermined attribute of the respective on hold calls, as taught by Kung, to provide the user with the capability of choosing which call placed on hold to connect to first.

As to **claim 30**, Coombes and Sundar teaches everything as applied in claims 25-26 and the combination of Coombes, Sundar and Kung teaches everything as applied in claim 29; however, Coombes and Sundar fail to teach handing out a second on hold call for the communication unit at the first communication network by

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establishing an other call leg by forwarding, via the second communications network, the second on hold call to the wireless communication unit after the on hold call has been forwarded and connected by the wireless communication network.

Kung also teaches the BRG 300 monitors whether the subscriber wants to connect to an incoming call or a call waiting on the queue, reading on claimed "a second on hold call" at Step S750. In response to an indication from the subscriber that he is ready to be connected to a call on the queue, the BRG 300 sends a set up request message to the CM 218, the necessary resources for the call are allocated, reading on claimed "handing out a second on hold call for the wireless communication unit at the first communication network by establishing an other call leg," and the call is then connected in step S760, reading on claimed "forwarding, via the second communication network, the second on hold call to the wireless communication unit after the on hold call has been forwarded and connected by the wireless communication unit." The subscriber can switch from an active call to a waiting call at any time as in this manner ([Column 32, lines 19-26]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, taught by Sundar, the step of handing out a second on hold call for the wireless communication unit at the first communication network by establishing an other call leg by forwarding, via the second communications network, the second on hold call to the wireless communication unit after the on hold call has been forwarded and connected by the wireless communication network, taught

by Kung, to enable the wireless user to choose which calls placed on hold to activate and to communicate with the user on hold.

***Allowable Subject Matter***

8. Claims 8-11, 15-20, 28, and 31-33 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pines et al.

US 2003/0007625

01/09/2003

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

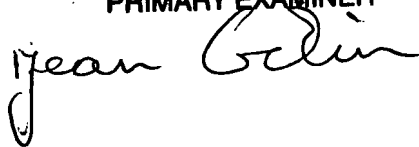
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

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JGelin  
May 25, 2007

JEAN GELIN  
PRIMARY EXAMINER

A handwritten signature in cursive script, appearing to read "Jean Gelin", written over the printed name and title.